

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THEODORE CONNOLLY,

Plaintiff,

v.

COUNTY OF HUDSON, ROBERT B.
KNAPP, individually, and JUAN M.
PEREZ, individually,

Defendants.

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Civil Action No. 09-4509 (SRC)

ORDER

CHESLER, District Judge

This matter having come before the Court upon motion for summary judgment by Defendant Juan M. Perez (“Perez”) [docket entry 18] and cross-motions for summary judgment by Defendants Robert B. Knapp (“Knapp”) [docket entry 19] and County of Hudson (“Hudson County”) (collectively, “Defendants”) [docket entry 23]; and Plaintiff Theodore Connolly (“Plaintiff”) having opposed the motions; and the Court having considered the papers submitted by the parties; and the Court having decided to rule on the motion based on those submissions pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith;

IT IS on this 20th day of June, 2011,

ORDERED that the Defendants’ motions for summary judgment be and hereby are **GRANTED IN PART** and **DENIED IN PART**; and it is further

ORDERED that summary judgment on Plaintiff’s claims pursuant to the Family and

Medical Leave Act, 29 U.S.C. § 2601, be and hereby is **GRANTED** in favor of Hudson County; and it is further

ORDERED that summary judgment on Plaintiff's claims pursuant to § 504 of the Rehabilitation Act, 29 U.S.C. § 794(a), be and hereby is **GRANTED** in favor of Hudson County; and it is further

ORDERED that summary judgment on Plaintiff's claims pursuant to the Hatch Act, 5 U.S.C. § 1501, be and hereby is **GRANTED** in favor of Defendants; and it is further

ORDERED that summary judgment on Plaintiff's claims under N.J.A.C. § 4A:10-1.2, N.J.S.A. § 11A:2-23, N.J.A.C. § 4A:2-5.1, N.J.S.A. § 34:19-9, and N.J.S.A. § 10:5 against Defendants be and hereby is **DENIED**; and it is further

ORDERED that summary judgment on Plaintiff's claims of defamation and invasion of privacy against Defendant Knapp be and hereby is **DENIED**; and it is further

ORDERED that Plaintiff's claims under N.J.A.C. § 4A:10-1.2, N.J.S.A. § 11A:2-23, N.J.A.C. § 4A:2-5.1, N.J.S.A. § 34:19-9, and N.J.S.A. § 10:5 against Defendants be and hereby are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3) and Federal Rule of Civil Procedure 12(h)(3); and it is further

ORDERED that Plaintiff's claims of defamation and invasion of privacy against Defendant Knapp be and hereby are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3) and Federal Rule of Civil Procedure 12(h)(3).

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge